# 10 /DE 2004

Docket No.: 28689-189 PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Customer Number: 20277

Gordon K. WHITNEY, et al.

Confirmation Number: 7964

Serial No.: 10/005,873

Group Art Unit: 7964

Filed: December 07, 2001

Examiner: Curtis Edward Sherrer

For: IMPROVED PRODUCTION FOR TEQUILA

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop Notice of Appeal Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Appeals from the decision dated September

2, 2003 of the Primary Examiner finally rejecting claims 1-7.

Appeal Fee: \$\\$330.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 500417.

Check Enclosed.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

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Facsimile: (202) 756-8087 Date: March 2, 2004